

Mayor Beyer called the November 1, 2010 special council meeting to order at 7:00 p.m. in the council chambers of city hall, 6031 Main Street, Rockford, MN. The purpose of the special meeting was called to hold the assessment hearing for the 2010 Street and Sidewalk Improvement Project.

Roll call

Roll call was taken and the following members were present: Beyer, Graner, Hafften, Martinson and Nichols. Also in attendance were: Attorney Couri, Administrator Carswell, Engineer Statz and Ward of Bonestroo.

The Pledge of Allegiance to the Flag was given.

2010 Street and Sidewalk Improvement Assessment Hearing

Administrator Carswell informed the city council that notices of the hearing were mailed and published at least two weeks prior to the hearing. There is a certified list of the notices that were mailed in the file.

There were two letters of appeals submitted prior to the meeting: CP Rail and 8901 Autumn Oaks Drive.

Engineer Statz reviewed the assessment roll and how the dollar amounts were determined. Statz also discussed briefly the specifics of the 2010 project.

Attorney Couri explained that the assessments shall benefit the property per state laws. The assessment shall be adopted by a majority vote of the city council.

Mayor Beyer opened the public hearing at 7:10 p.m.

Lisa Spirala of 8901 Autumn Oaks Drive was present to protest her assessment of \$3,850 for 110' on Autumn Oaks Drive. Mrs. Spirala stated that this improvement does not benefit her property and noted that the property was assessed in 2006 for a road improvement. Mrs. Spirala also stated that the Parkwood Development damaged the road. Engineer Statz provided a map of this property showing that 100' of this property was assessed for road improvements in 2006 and suggested that the maximum frontage assessed for residential in 2010 is 110'. Therefore, it was suggested that the property at 8901 Autumn Oaks Drive be assessed for 110' of the road improvement at \$35.00 per foot.

Administrator Carswell stated that the road was built in 1993 and noted that the public works wanted this section of road improved years ago and noted that the construction of Autumn Oaks 5th, 6th and 7th and some from River Oaks all traveled this road.

Mike Recht of 7021 Willow Wood Trail asked what footage was being used for his assessment. Engineer Statz answered that the Mr. Recht's property is being assessed for 82.8'.

Ann Peterson of 2001 Verna Court asked why the city did not resurface Verna Court and noted it was needed. Ms. Peterson has a large side yard of 282' which is being assessed one-third the amount of a front yard for a total assessment of \$1,442.05.

Gary Rebischke of 8904 Autumn Oaks Drive stated that he is being assessed more than most businesses on Autumn Oaks Drive and feels it is unfair since he has only a 5,000 SF building on the property. Engineer Statz stated that commercial property is not maxed out at 110 foot assessment but is being assessed for the actual front footage. Mr. Rebischke's lot measures 173.4' on Autumn Oaks Drive and he is being assessed \$6,069. Mr. Rebischke feels that the development of Parkwood caused much of the damage to the road and they should be responsible for repairs.

The city council discussed assessing the lots that have larger dollar amounts for a longer term maybe 7 or ten years depending on the amount of assessment. The interest rate could also be lowered so as not to create such a hardship for the property owners. They would still have the option to pay off the assessment earlier if they choose.

Mayor Beyer closed the public hearing at 8:45 p.m.

Adopt Assessment for the 2010 Street/Sidewalk Project

The CP Rail Road received notice for only one-half of their assessment amount. Therefore the city attorney recommended that the city council wait to adopt the assessment roll until the CP Rail is notified of the correct assessment amount. Another assessment hearing will be scheduled for November 23, 2010 for the CP Rail assessment. After that hearing the city council will adopt the assessment roll.

Adjourn

Motion to adjourn was made by Martinson, seconded by Graner.

Mayor Beyer adjourned the meeting at 8:50 p.m.

Michael Beyer, Mayor

Attest:

Nancy Carswell, Administrator